

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of Annual Assessment of the Status of  
Competition in the Market for the  
Delivery of Video Programming

MB Docket No. 12-203

**COMMENTS OF**

Juan Serna

CreaTV San Jose submits these comments in response to the above captioned Notice of Inquiry (“NOI”), released July 20, 2012, seeking “data, information, and comment on the state of competition in the delivery of video programming.”

CreaTV San Jose is a non-profit community media center serving over 1 million people in the Silicon Valley region. CreaTV San Jose provides 120 digital media workshops to the community annually; manages four commercial free cable channels; provides low cost video production services to 150 local organizations and scores of individual community producers. CreaTV San Jose manages a community media facility open to the public, complete with two studios, 5 editing suites, training facilities and ten field camera packages.

1. **Name(s) of the MVPD operator(s) in your jurisdiction:** Comcast and AT&T.
2. **How many channels does your MVPD operator(s) provide for PEG programming:** Comcast provides up to 6. AT&T does not carry our channels. Due to the fact that the quality of their PEG channel delivery is substandard, and the common functionality of a cable channel is not available to PEG channels on their system (can’t DVR, can’t use the “last” function, etc.), CreaTV will not send them our community channels.
3. **On which tier are these channels placed and is extra equipment required to view them:** Anyone with Comcast Cable can receive our channels.
4. **Are there more or fewer PEG channels carried on MVPD systems than were carried as of June 2010:** The same. We began our operation in 2008, so the channels are brand new.
5. **What data sources exist to track the availability of PEG programming:** CreaTV tracks content submitted for its channels. In 2011, 4,781 were turned in to the community channels for airing.
6. **Please answer if you are in an AT&T U-verse community. Is there any evidence that AT&T’s “Channel 99 PEG product” has hurt PEG viewership? Have there been any consumer complaints about PEG accessibility on U-verse?:** We regularly get complaints that AT&T doesn’t carry CreaTV’s channels. Because of the lack of complete channel functionality, those

who are blind would have no way of navigating to our channels. You have to be able to see to navigate through the various submenus of community programming, where as other channels do not have submenus.

**7. Provide general information about PEG programming in your community. If applicable, explain how cutbacks in financing, state law changes, new technology, and so on have affected PEG programming in your community. In responding, keep in mind that you are “telling your story” of how PEG service are delivered in your community:**

PEG service is only offered through CreaTV here in San Jose, it is a vital outlet for peoples voices to be heard, CreaTV partners with the community giving an outlet for personal and important Issues. I have been a community producer for then 10 years. I’ve seen first hand the importance of having the access to PEG in out community, now as a producer for CreaTV I new how the privilege and access to create stories for our channel. I have worked on many projects two of them are near and dear to my heart. One is the Latino report card a video showing the importance of the involvement of Latino in critical issues in the San Jose area and The Climate Kids a show focusing on the important message of Climate change and the issues revolving around it. CreaTV is the place where the community can be heard, countless stories and people have walked in through the doors here. CreaTV is vital here in San Jose, without CreaTV many stories and issues would never be heard.

We must keep PEG access continuing here in San Jose we also need as much help and resources that we can get, with the proper help and resources CreaTV will be able to continue it’s efforts in engaging, educating and telling the many stories of San Jose.

Two weeks ago, a delegation from the White House came to CreaTV to study our Youth Voices Initiative, which brings former gang members, at risk kids, and youth leaders together to create a media campaign aimed at keeping kids out of gangs. The youth are creating thirty minute in depth talk shows in our studio that we will collectively market to their peers. This is just one of many innovative ways that a community media center can be a vital tool in civic engagement and problem solving.

Imagine what our 3,000 channels and hundreds of PEG organizations across the country could do if we were better supported, through legislation that would lift an archaic, immobilizing and completely unnecessary funding restriction that sits in the cable act?

**Juan Serna**

Producer & Access facilitator , CreaTV San Jose  
255 West Julian Street, Suite 100  
San Jose, CA 95110  
408-295-8815 x306  
Juan@creatvsj.org